

CPE Violation Penalties

Guidelines

Approved June 24, 2021

I. STATEMENT OF INTENT

To assist in the efficient, effective, and fair resolution of continuing professional education (“CPE”) deficiencies, these guidelines have been provided to the Virginia Board of Accountancy’s (“VBOA”) Enforcement Division staff. A “case” as used in the guidelines below includes both failed CPE compliance reviews and disciplinary investigations where CPE deficiencies are discovered.

These guidelines are intended to serve as an aid in assigning appropriate penalties for CPE violations.

II. NON-COMPOUNDING PENALTIES

Penalties listed in this chart do not combine or “stack” with one another, though they may be combined with one or more of the penalties listed in the chart under Part III, “Compounding Penalties.” All monetary penalties and CPE hours due under this chart must be submitted to the VBOA within ninety (90) days of the entry date of the Consent Order.

Deficiency	1st Case (self-report)	1st Case (all others)	2nd Case (all)	3rd Case (all)
Deficient < 10 hours in a reporting period (other than ethics and/or A&A)	<ul style="list-style-type: none"> • Advisory Letter 	<ul style="list-style-type: none"> • Reprimand 	<ul style="list-style-type: none"> • \$500 monetary penalty • Must make up deficient CPE for each year of reporting period, which does not count towards the current year requirement • Subject to CPE compliance review for subsequent 3-year reporting period that begins in the year disciplinary action is taken 	<ul style="list-style-type: none"> • \$750 monetary penalty • Suspension of license for 1 year • Subject to CPE compliance review for subsequent 3-year reporting period following reinstatement
Deficient 10–20 hours in a reporting period	<ul style="list-style-type: none"> • \$250 monetary penalty • Must make up deficient CPE for each year of reporting period, which does not count towards the current year requirement • Subject to CPE compliance review for subsequent 3-year reporting period that begins in the year disciplinary action is taken 	<ul style="list-style-type: none"> • \$500 monetary penalty • Must make up deficient CPE for each year of reporting period, which does not count towards the current year requirement • Subject to CPE compliance review for subsequent 3-year reporting period that begins in the year disciplinary action is taken 	<ul style="list-style-type: none"> • \$750 monetary penalty • Suspension of license for 1 year • Subject to CPE compliance review for subsequent 3-year reporting period following reinstatement 	<ul style="list-style-type: none"> • \$1,000 monetary penalty • Revocation of license • May apply for reinstatement no sooner than 5 years after date of disciplinary action • Must come before the VBOA to be considered for reinstatement • Subject to CPE compliance review for subsequent 3-year reporting period following reinstatement

Deficiency

Deficient 20.1–40 hours in a reporting period

1st Case (self-report)

- \$500 monetary penalty
- Must make up deficient CPE for each year of reporting period, which does not count towards the current year requirement
- Subject to CPE compliance review for subsequent 3-year reporting period that begins in the year disciplinary action is taken

1st Case (all others)

- \$750 monetary penalty
- Must make up deficient CPE for each year of reporting period, which does not count towards the current year requirement
- Subject to CPE compliance review for subsequent 3-year reporting period that begins in the year disciplinary action is taken

2nd Case (all)

- \$1,000 monetary penalty
- Suspension of license for 1 year
- Subject to CPE compliance review for subsequent 3-year reporting period following reinstatement

3rd Case (all)

- \$2,000 monetary penalty
- Revocation of license
- May apply for reinstatement no sooner than 5 years after date of disciplinary action
- Must come before the VBOA to be considered for reinstatement
- Subject to CPE compliance review for subsequent 3-year reporting period following reinstatement

Deficient 40.1–90 hours in a reporting period

- \$625 monetary penalty
- Must make up deficient CPE for each year of reporting period, which does not count towards the current year requirement
- Subject to CPE compliance review for subsequent 3-year reporting period that begins in the year disciplinary action is taken

- \$875 monetary penalty
- Must make up deficient CPE for each year of reporting period, which does not count towards the current year requirement
- Subject to CPE compliance review for subsequent 3-year reporting period that begins in the year disciplinary action is taken

- \$1,125 monetary penalty
- Suspension of license for 1 year
- Subject to CPE compliance review for subsequent 3-year reporting period following reinstatement

- \$2,000 monetary penalty
- Revocation of license
- May apply for reinstatement no sooner than 5 years after date of disciplinary action
- Must come before the VBOA to be considered for reinstatement
- Subject to CPE compliance review for subsequent 3-year reporting period following reinstatement

Deficiency

Deficient > 90 hours in a reporting period

1st Case (self-report)

- \$750 monetary penalty
- Must make up deficient CPE for each year of reporting period, which does not count towards the current year requirement
- Subject to CPE compliance review for subsequent 3-year reporting period that begins in the year disciplinary action is taken

1st Case (all others)

- \$1,000 monetary penalty
- Suspension of license for 1 year
- Subject to CPE compliance review for subsequent 3-year reporting period following reinstatement

2nd Case (all)

- \$2,000 monetary penalty
- Suspension of license for 3 years
- Must come before the VBOA to be considered for reinstatement
- Subject to CPE compliance review for subsequent 3-year reporting period following reinstatement

3rd Case (all)

- \$3,000 monetary penalty
- Revocation of license
- May apply for reinstatement no sooner than 5 years after date of disciplinary action
- Must come before the VBOA to be considered for reinstatement
- Subject to CPE compliance review for subsequent 3-year reporting period following reinstatement

III. COMPOUNDING PENALTIES

Penalties listed in this chart may be imposed individually, or may be combined with each other or with any single penalty listed in the chart under Part II, "Non-Compounding Penalties." All monetary penalties and CPE hours due under this chart must be submitted to the VBOA within ninety (90) days from the entry date of the Consent Order.

Deficiency	1st Case (self-report)	1st Case (all others)	2nd Case (all)	3rd Case (all)
Failure to take VBOA-approved ethics course only in any given calendar year(s)	<ul style="list-style-type: none"> • Reprimand 	<ul style="list-style-type: none"> • \$250 monetary penalty 	<ul style="list-style-type: none"> • \$500 monetary penalty 	<ul style="list-style-type: none"> • \$750 monetary penalty
Failure to meet the annual minimum 20 CPE hours in any given calendar year(s)	<ul style="list-style-type: none"> • Reprimand 	<ul style="list-style-type: none"> • \$250 monetary penalty 	<ul style="list-style-type: none"> • \$500 monetary penalty 	<ul style="list-style-type: none"> • \$750 monetary penalty
Failure to take 8 hours of Auditing and Attestation in any given calendar year(s)	<ul style="list-style-type: none"> • Reprimand • Must make up deficient CPE for each year of reporting period, which does not count towards the current year requirement 	<ul style="list-style-type: none"> • \$250 monetary penalty • Must make up deficient CPE for each year of reporting period, which does not count towards the current year requirement • (If deficient A&A for more than 1 calendar year) May not release or authorize the release of reports on attest, compilation, or financial statement preparation services for 1 year 	<ul style="list-style-type: none"> • \$750 monetary penalty • Must make up deficient CPE for each year of reporting period, which does not count towards the current year requirement • (If deficient A&A for more than 1 calendar year) May not release or authorize the release of reports on attest, compilation, or financial statement preparation services for 2 years 	<ul style="list-style-type: none"> • \$1,250 monetary penalty • (If deficient A&A for more than 1 calendar year) May not release or authorize the release of reports on attest, compilation, or financial statement preparation services for 3 years
Failing to meet any CPE requirement for a given calendar year or for the reporting period	<ul style="list-style-type: none"> • Submit proof of completion of the current year's VBOA-approved ethics course 	<ul style="list-style-type: none"> • Submit proof of completion of the current year's VBOA-approved ethics course 	<ul style="list-style-type: none"> • Submit proof of completion of the current year's VBOA-approved ethics course 	<ul style="list-style-type: none"> • Submit proof of completion of the current year's VBOA-approved ethics course

Deficiency	1st Case (self-report)	1st Case (all others)	2nd Case (all)	3rd Case (all)
Failure to respond within 30 days	<ul style="list-style-type: none"> • \$100 monetary penalty 	<ul style="list-style-type: none"> • \$100 monetary penalty 	<ul style="list-style-type: none"> • \$200 monetary penalty 	<ul style="list-style-type: none"> • \$300 monetary penalty
Failure to update mailing or email address	<ul style="list-style-type: none"> • \$100 monetary penalty 	<ul style="list-style-type: none"> • \$100 monetary penalty 	<ul style="list-style-type: none"> • \$200 monetary penalty 	<ul style="list-style-type: none"> • \$300 monetary penalty
Failure to comply with terms and conditions of VBOA disciplinary action	<ul style="list-style-type: none"> • Suspension of license • Must come before the VBOA to be considered for reinstatement 	<ul style="list-style-type: none"> • Suspension of license • Must come before the VBOA to be considered for reinstatement 	<ul style="list-style-type: none"> • Suspension of license • Must come before the VBOA to be considered for reinstatement 	<ul style="list-style-type: none"> • Suspension of license • Must come before the VBOA to be considered for reinstatement
Failure to respond at all to a CPE compliance review	<ul style="list-style-type: none"> • Proceeding under Code of Virginia § 2.2-4019 	<ul style="list-style-type: none"> • Proceeding under Code of Virginia § 2.2-4019 	<ul style="list-style-type: none"> • Proceeding under Code of Virginia § 2.2-4019 	<ul style="list-style-type: none"> • Proceeding under Code of Virginia § 2.2-4019